

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ADELL P. ALLEN,

Plaintiff,

V.

CORTESIA NORMAN et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/15/12

08 Civ. 6041 (BSJ) (HBP)

### Order

BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

Plaintiff, *pro se*, sued the defendants for violating her constitutional rights under 42 U.S.C. § 1983, conspiring to violate her constitutional rights under 42 U.S.C. § 1985, and for committing several state law torts. On October 31, 2011, the City of Mount Vernon Defendants (which includes the City of Mount Vernon, the Mount Vernon Police Department, the Commissioner of Police of Mount Vernon, and the former Commissioner of Police of Mount Vernon) filed a motion for judgment on the pleadings and to dismiss Plaintiff's claims. On December 6, 2011, Defendant Ernest Usher also filed a motion for judgment on the pleadings and to dismiss Plaintiff's claims.

On July 23, 2012, Magistrate Judge Henry Pitman issued a Report and Recommendation recommending that the Court vacate the entry of default against Defendant Usher and grant the motions to dismiss the claims against Defendant Usher and the City of Mount

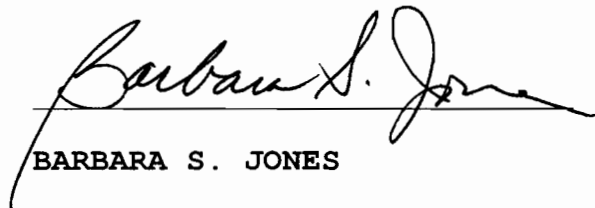
Vernon Defendants. On August 3, 2012, Plaintiff timely objected to the Report and Recommendation. When objections are made to a Report and Recommendation on a dispositive motion, the Court reviews the recommendation *de novo* and may accept, reject, or modify the recommended disposition. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). If the objections are perfunctory, the Court reviews the Report and Recommendation for clear error, as if no objections were made. See *Sabilia v. Richmond*, No. 11 Civ. 739, 2012 WL 213656, at \*2 (S.D.N.Y. Jan. 24, 2012) (citing *McDonough v. Astrue*, 672 F. Supp. 2d 542, 547 (S.D.N.Y. 2009)); *Pinkney v. Progressive Home Health Servs.*, No. 06 Civ. 5023, 2008 WL 2811816, at \*1 (S.D.N.Y. July 21, 2008).

Plaintiff has only offered bald objections that do not possess the specificity needed to warrant *de novo* review. The objections of *pro se* litigants are read as favorably as possible but must still be particular enough to respond to specific portions of a Report and Recommendation. See *Quinn v. Stewart*, No. 10 Civ. 8692, 2012 WL 1080145, at \*4 (S.D.N.Y. April 2, 2012). Simply declaring that she has rights and deserves compensation and justice does nothing to explain specifically why the Court should not adopt Judge Pitman's recommendation.

Having reviewed the Report and Recommendation for clear error and having found none on the face of the record, the Court adopts Judge Pitman's recommendation in its entirety. Accordingly, the motions to dismiss and for judgment on the

pleadings filed by Defendant Usher and the City of Mount Vernon Defendants are GRANTED. Additionally, the entry of default against Defendant Usher is vacated. The Clerk of the Court is directed to terminate the defendants' motions (Dkt. Nos. 34 and 44).

**SO ORDERED:**

A handwritten signature in black ink, appearing to read "Barbara S. Jones", is written over a horizontal line.

**BARBARA S. JONES**

**UNITED STATES DISTRICT JUDGE**

Dated: New York, New York  
August 14, 2012